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S E C R E T SECTION 01 OF 04 BAGHDAD 000730

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TAGS: [PTER](#) [PHUM](#) [PINR](#) [PREF](#) [PREL](#) [IZ](#) [IR](#) [US](#)
SUBJECT: MEK/CAMP ASHRAF - GOI MISHANDLING UNDERLINES NEED
FOR DEMARCHE FROM WASHINGTON

REF: A. BAGHDAD 553
[1](#)B. BAGHDAD 681
[1](#)C. 08 BAGHDAD 2658

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Classified By: Charge d'Affaires Patricia A. Butenis for
reasons 1.4 (b) and (d).

[1](#)1. (U) This is an action request (see para 11).

[1](#)2. (S/NF) Summary: The GOI is expressing increasing frustration with the Mujahedin e-Khalq (MEK) residents of Camp Ashraf. In response to GOI assertions that the MEK are "breaking the rules," more stringent controls have been placed on personnel and goods coming into the camp, but contrary to MEK claims, a blockade is not in place. Embassy and Multi-National Force-Iraq (MNF-I) personnel continue to monitor the humanitarian conditions at Camp Ashraf to ensure that the GOI adheres to its assurances of humane treatment. The GOI has issued threats to serve arrest warrants on MEK leaders and to arrest protesters in the camp, but up until now, no one has been arrested or harmed. National Security Advisor Mowaffaq al-Rubaie clarified in a written private communication to us the GOI position on Camp Ashraf by noting that the GOI is solely responsible for the security of the camp and its residents, will abide by its humane treatment assurances, will assume control of property and real estate in the camp in order to perform its security and administrative duties, and will serve outstanding warrants in a manner that minimizes the potential for escalation of violence. The communication stated that U.S. forces should not come between Iraqi forces and the MEK while Iraqi forces carry out their duties. In public, unfortunately, Rubaie has done nothing to calm international media attention on this issue, stating on March 16 that the GOI has a "right to every sovereign inch of Iraqi territory." Given GOI intention to increase the pressure on the camp, and its inability to get out a media position that expresses the GOI position in a balanced fashion, Post provides suggested points for a demarche for the Charge and MNF-I Commanding General (CG) to make to the Prime Minister (PM) as soon as possible. End Summary.

MEK are "Breaking the Rules"

[1](#)3. (S/NF) The GOI Camp Ashraf Committee (comprised of representatives of the Ministries of Defense, Foreign Affairs, Displacement and Migration, Human Rights, and Interior; as well from the Prime Minister's National Operation Center and the National Security Council (NSC)) met on March 9 and 10 to discuss how they believe the Camp Ashraf

residents (CAR) and leaders are "breaking the rules," according to representatives of the Committee. They reportedly discussed the following examples of activities the Committee views as violations of the commitments made by Camp Ashraf leaders:

-- The leaders have been showing the CAR an "inflammatory" video that misstates the facts regarding the fate of the camp and assurances provided by the GOI to the CAR and claims leaders have an agreement with the GOI to "continue life as normal."

-- CAR have surreptitiously slipped out of the camp and have met with locals and even paid them money (Note: It is unknown to whom or for what the money was paid. End Note.).

-- Leaders have maliciously produced propaganda negatively portraying images of President Talibani and NSA Rubaie.

(Note: We have no knowledge of these activities in our monitoring of camp activities. End note.)
Qmonitoring of camp activities. End note.)

GOI Committee Decisions

14. (S/NF) As a result of the CAR actions, the GOI Committee decided to take the following actions:

-- Direct the IA to commence armored vehicle patrols through the camp equipped with loudspeakers explaining the "truth" and restating the residents' options and assurances.

-- Direct the ISF to take possession of unoccupied structures between the Grizzly Check Point (GCP - the main Entry Control

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Point of the camp) and the Lion's Gate (the gate leading into the main part of the city of Ashraf). (Note: Prior to 2003, IA elements were stationed at Camp Ashraf in an advisory and support role for the National Liberation Army - the armed wing of the MEK - at which time these structures were occupied and possibly constructed by the Iraqi Army. End Note.)

-- Enforce rules for exiting and entering the camp by the CAR.

-- Prohibit any construction materials from being taken into the camp.

Serving of Warrants

15. (S/NF) According to source, the Ministry of Defense Chief of Intelligence, Staff Major General Alaa Salman Jasem, on 10 March ordered the 3/37/9 IA Battalion (charged with providing security for Camp Ashraf) to stand aside and allow Diyala police to enter Camp Ashraf and arrest two MEK officials wanted for breaking Iraqi law for kidnapping. These charges stem from a family complaint against the MEK for denying access to family members. To date we have seen no movement to arrest anyone at the camp, and we understand arrests are on hold for the time being.

16. (S/NF) During a meeting with Task Force-134 (TF-134) and Camp Ashraf leaders March 13, the Commander of the IA BN (COL Kareem) told the leaders that he had been given orders to allow the IP to serve two arrest warrants and to take possession, by force if necessary, of the Lord Slynn Building, a building previously offered to the GOI by the leaders for use during family visitation. The building is located on the periphery of Ashraf city, but within the camp. The leaders stated that these actions had "crossed their red lines" and would not be tolerated. They asserted that this

would be the start of the "massacre." (Note: This was an allusion to earlier suggestions that residents would begin "mass suicide" if threatened with arrest or deportation. For additional information on the takeover of the building, see REF B. End Note.)

Meeting with NSA Rubaie

¶7. (S/NF) Pol-Mil MinCouns and CG TF-134 met with the PM's designated coordinator for Camp Ashraf issues, NSA Rubaie, the evening of March 14 to discuss the latest developments at Camp Ashraf. Rubaie started by noting the MEK are concerned about the IA occupying buildings at Camp Ashraf, dismissively remarking that "if they don't like it, they don't like it." He also stated that no foreigner in Iraq has the right to own property; the property at Camp Ashraf belongs to the GOI. MinCouns replied that the MEK did not even have the opportunity to produce a lease or any other documents to support their claim to the property.

¶8. (S/NF) MinCouns pointed out to Rubaie that the international community will blame the USG as well as the GOI should a humanitarian crisis occur at Camp Ashraf, to which Rubaie stated, "It's 100 percent the responsibility of the GOI." MinCouns, on several occasions, reminded Rubaie of the humanitarian assurances provided to the USG by the GOI (REF C) and that these proposed rash actions could be viewed as violations of those assurances. CG TF-134 told Rubaie that if a humanitarian crisis occurred and individuals were being seriously injured (on either side), U.S. forces had a responsibility to intervene. Rubaie downplayed the potential risk of a humanitarian crisis at Camp Ashraf but appeared to skirt of a humanitarian crisis at Camp Ashraf but appeared to receive the message. Seeking to explain the GOI position, Rubaie underlined that Iran had issued a formal warning that if the camp residents were not moved within two months (date of warning unknown), the camp could come under attack from Iranian or Iranian-backed forces. Rubaie was unwilling to provide any more detail on this threat.

¶9. (S/NF) As a result of the meeting, Rubaie immediately called an emergency session of the GOI Ashraf Committee after the U.S. presentation. Subsequently, Rubaie clarified the GOI position on Camp Ashraf to Embassy and MNF-I in an English written communication as follows:

Begin text of Rubaie communication:

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-- The entire responsibility for security and all other matters pertaining to Camp Ashraf and its residents is with the Government of Iraq. The GOI appreciates and welcomes the advice and assistance of the United States Embassy and U.S. Forces in dealing with Ashraf and will request that assistance when appropriate.

-- The Government of Iraq intends fully to comply with the assurances given to the United States by diplomatic note concerning the humane treatment of Camp Ashraf residents and compliance by Iraq with all applicable international standards.

-- The Government of Iraq will assume control of real estate including buildings necessary for it to carry out its security and administrative responsibilities for Camp Ashraf and will do so in a manner that minimizes the possibility of conflict with Ashraf residents.

-- In carrying out its responsibilities for enforcing the rule of law, the Government of Iraq will serve warrants outstanding against Ashraf residents and ensure full compliance with Iraqi legal requirements. This will be carried out in a manner that minimizes the possibility of the

escalation of violence if the warrants cannot be executed with the cooperation of Ashraf residents. Individuals served with such warrants will be afforded all the legal protections and guarantees called for in Iraqi law and international humanitarian standards.

-- In our meeting, I understood that U.S. Forces are under instructions to act to prevent or contain any humanitarian crisis that may develop at Camp Ashraf. I said that the position of the Government of Iraq is that during the Iraqi execution of assumption of control over real estate including buildings, and in the serving of warrants, the U.S. Forces should not interpose themselves between Iraqi Security Forces and the Ashraf residents.

-- Following our meeting I summoned the Chairman of the Ashraf Committee and the MOD representative. They informed me that a short time ago the Iraqi Army unit at Ashraf had peacefully taken control of a building it needed without incident or interference by Ashraf residents. I instructed them that they had to exercise judgment in presenting the warrants, choosing the time and circumstances that would not risk incidents and harm to Ashraf residents. I also briefed them on the concerns of the U.S. Embassy and U.S. Forces.

-- In terms of both the obligations under the exchange of diplomatic notes and the Iraq-US strategic agreements, Iraq alone bears responsibility for its actions and seeks the understanding and support of the United States.

End text of Rubaie communication. (Note: As of March 18 the building remains under the control of CAR. End Note.)

Limited Media Response Won't Satisfy International Media

¶10. (S/NF) Embassy and MNF-I Spokesmen saw GOI Spokesman Ali Al-Dabbagh the evening of March 16 and pressed the GOI to make a statement that balanced international criticism by stating the facts on the ground and emphasizing GOI adherence to international humanitarian principles. Dabbagh said this issue was being handled by Rubaie and deferred to him. Later that day, Rubaie's office issued a statement, which in part responded to some of the more extreme MEK allegations, but Qresponded to some of the more extreme MEK allegations, but linked the MEK to other terrorist groups, asserted GOI sovereignty, claimed illegal and hostile acts by MEK leaders against the GOI, and alleged unnamed violations of previous commitments. Although the statement noted GOI humanitarian commitments and stated visitors would still be allowed into the camp, this statement will do little to handle international media attention to this issue.

¶11. (S/NF) Action Request: Embassy and MNF-I will continue to monitor the situation at Camp Ashraf to ensure that the GOI adheres to its assurances of humane treatment for the residents of Camp Ashraf as noted in REF A. Due to the potential volatility of the situation, however, Embassy requests the Department authorize an urgent demarche to the PM to emphasize the importance of avoiding a humanitarian crisis over this issue, to be backed up by a demarche by a senior USG official in Washington to the Iraqi ambassador. Suggested points follow:

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-- We understand completely the complexity of the issue of the 3400 Iranian and other non-Iraqi residents of Camp Ashraf for the Government of Iraq. This humanitarian issue is something your Government inherited from the regime of Saddam Hussein. We also recognize the pressures you face because of the presence of this organization on your territory.

-- Nevertheless, as your government has stated, this sensitive issue requires handling in accordance with

international humanitarian standards. For this reason your government provided assurances to the U.S. that the Iraqi Government will treat the residents at Camp Ashraf humanely in accordance with the Constitution, local laws and international obligations of Iraq and the principle of non-refoulement. The GOI also committed not to transfer any of the residents of Camp Ashraf to any other country where they would be subject to torture or would be persecuted because of their beliefs.

-- We support the GOI in enforcing Iraqi law within Iraqi sovereign territory and acknowledge that the camp's future is solely the responsibility of the GOI. However, the specific nature of the situation at Camp Ashraf, the international attention to the issue, and the humanitarian elements require a careful approach.

-- We believe this issue will take time to resolve as you pursue your policy of finding countries to accept Camp Ashraf residents, while not forcibly returning them to any country or territory where they may face persecution or torture.

-- Both of our governments will face criticism if this issue is not handled carefully. Given the nature of the organization and its history, mishandling measures to manage the camp will likely result in humanitarian issues that will question the commitment of the GOI to international law and will make it less likely that other countries will agree to accept the Camp Ashraf residents.

-- We request that you make every effort to handle this situation in a measured and calm manner and that you do everything possible to include the media and international organizations in efforts to show what is really happening on the ground, not what is reported overseas.
BUTENIS